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AMENDMENTS TO THE DRAWINGS

None.

REMARKS

Reconsideration and allowance of this application in light of the foregoing amendments and accompanying remarks is respectfully requested.

THE ALLOWED CLAIMS

The allowance of claims 1-8 has been noted with appreciation.

THE ALLOWABLE CLAIMS

The Examiner's indication that claims 16, 17, 19, and 20 would be allowable if rewritten in independent form has been noted with appreciation.

THE CLAIM AMENDMENTS

Independent claim 9 has been amended to more particularly set forth the structure of the valve head.

Original dependent claim 13 has been amended into independent format and has been amended to set forth with more particularity the structure of one embodiment of the valve head.

Original dependent claim 18 has been amended into independent form and has been amended to set forth a particular arrangement of the housing support wall relative to the adjacent sidewall of the valve sleeve.

Claims 12, 16, 19, and 20 have each been amended solely to place each of them in independent form. Thus, claims 12, 16, 19, and 20, as now amended, each explicitly sets forth all of the limitations of the original dependent claim, the appropriate original independent base claim, and the intervening claims, if any. Thus, each claim 12, 16, 19, and

20, as now amended to independent form, still includes only those limitations of the originally filed corresponding dependent claim. Therefore, this amendment does not narrow the scope of the claims 12, 16, 19, and 20.

Support for the claim amendments is found in the specification and drawings of the application as originally filed.

THE OBJECTION TO CLAIMS 16, 17, 19, AND 20 IS OVERCOME

The Examiner indicated that claims 16, 17, 19, and 20 would be allowable if rewritten in independent form.

Claim 16 has been rewritten in independent form to include all of the limitations of the base independent claim 9 from which claim 16 originally depended,. Claim 17 remains dependent upon rewritten claim 16. Original dependent claim 19 has been rewritten as an independent claim to include all of the limitations of original base independent claim 9 and original dependent claim 18 from which original dependent claim 19 originally depended. Original dependent claim 20 has been rewritten in independent form to include all of the limitations of original base independent claim 9 from which claim 20 originally depended.

In view of the Examiner's determination in item 8 of the Official Action that claims 16, 17, 19, and 20 would be allowable if rewritten in independent form, withdrawal of the objection to these claims is requested, and allowance of claims 16, 17, 19, and 20 is respectfully requested.

THE REJECTION OF CLAIMS 9, 11-14 AND 18 IS OVERCOME

Claims 9, 11-14, and 18 were rejected under 35 U.S.C. §102(b) as being unpatentable

over the U.S. Patent No. 3,773,233 (to Souza).

Claims 10 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Souza.

--Claim 9

Independent claim 9 has been amended to more particularly set forth the structure of the valve head wherein thickness of the valve head adjacent the slit is at least equal to the depth of the slit through the valve head. With reference to FIG. 4 of the instant patent application, it can be seen that the slit 100 extends transversely through the thickness of the valve head openable regions or petals 101, and that the thickness of the valve head openable regions or petals 101 on either side of the slit adjacent the slit is at least equal to the depth of the slit through the valve head openable regions 101.

In contrast, the Souza patent cited by the Examiner shows a dispenser 10 (FIG. 4) which has a pair of resilient walls 40, 41 defining wall portions 48, 50 which define a dispensing slit 45 between them. As can be seen in FIG. 4, the height of the closed slit between the wall portions 48, 50 is much greater (many times greater) than the transverse thickness of the walls 40, 41 adjacent the slit. In FIG. 4 of Souza, the height of the closed slit is designated by dimension D_3 , and the dimension D_3 is much greater than the transverse thickness of the walls 40, 41.

In contrast, in the instant application, the transverse thickness of the valve head openable regions or petals (101 in FIG. 4 of the instant patent application) adjacent the valve slit is at least equal to the depth of the valve head slit 100. The valve head slit 100 is not greater than

the valve head thickness immediately adjacent the slit.

In view of the very different construction employed in the instant invention, and in view of the amended language in claim 9 of the instant application, it is believed that amended claim 9 clearly sets forth subject matter which is not anticipated by Souza. Accordingly, withdrawal of the rejection of independent claim 9, as amended, is respectfully requested.

--Dependent Claims 10, 11, 14, And 15

Claims 10, 11, 14, and 15 are each directly or indirectly dependent upon amended independent claim 9 discussed above. Therefore, the dependent claims 10, 11, 14, and 15 include all of the features of amended independent claim 9 as discussed above. Thus, dependent claims 10, 11, 14, and 15 are allowable also for at least the same reasons that amended independent claim 9 is allowable. Accordingly, withdrawal of the rejections of dependent claims 10, 11, 14, and 15 is respectfully requested.

--Claim 12

Claim 12 has been amended into independent form and sets forth, inter alia, the structure wherein at least part of the valve sleeve extends opposite the flow direction to a location inwardly of the peripheral portion of the valve sleeve. With reference to the second embodiment illustrated in FIG. 17 of the instant application, it can be seen that a lower part of the valve sleeve 70A extends inwardly in the direction opposite the flow direction to a location that is inwardly of the valve sleeve peripheral portion 50A.

In contrast, FIG. 4 of the Souza patent cited by the Examiner in rejecting claim 12 shows a dispenser 10 having a peripheral attachment portion 12 which is located inwardly of the

remaining portion of the dispenser 10, and which has wall portions 46, 47 which extend outwardly from the peripheral attachment portion 12 in the direction of flow. Accordingly, Souza clearly does not anticipate the subject matter set forth in amended claim 12 of the instant application. Therefore, withdrawal of the rejection of claim 12, as amended, is respectfully requested.

--Claim 13

Claim 13 has been amended into independent format and further sets forth, among other things, that the periphery of the valve head extends outwardly further than the slit when the valve head openable regions are closed. With reference to the first embodiment illustrated in FIG. 4 of the instant application, it can be seen that the valve head slit 100 is in a inwardly concave region of the valve head, and that the peripheral portions of the valve head project outwardly (in the direction of dispensing flow) further than the valve head slit 100.

In contrast, the Souza patent cited by the Examiner in rejecting claim 13 has a valve slit 45 (FIG. 1) which extends all the way to the top of the dispenser 10, and no peripheral portion of the dispenser 10 extends outwardly further than the slit 45. Thus, Souza does not teach providing a valve head with peripheral portions that extend further outwardly than the valve slit.

Because Souza does not anticipate the subject matter set forth in claim 13 as amended, withdrawal of the rejection of claim 13 is respectfully requested.

--Claim 18

Claim 18 has been amended into independent form, and amended claim 18 further sets

forth, inter alia, the housing support wall being spaced inwardly of the adjacent sidewall of the valve sleeve when the valve head openable regions are closed. With reference to the first embodiment illustrated in FIG. 4 of the instant application, it can be seen that the housing support walls 60 are located inwardly of the valve sleeve sidewalls 76. Further, as can be seen in FIG. 4, there is a space between each housing support wall 60 and the adjacent sidewall 76 of the sleeve when the valve is closed. As discussed in the instant application specification on page 19, line 12, the spacing facilitates manufacturing and assembly of the system.

In contrast, FIG. 4 of the Souza patent cited by the Examiner in rejecting claim 18 shows a container C having a shoulder 15 and uppermost lip 16 defining the upper end of the container on which the dispenser is mounted. The exterior upper end portions of the container are intimately engaged with, and in surface-to-surface contact with, the adjacent portions of the resilient walls 40, 41 when the slit is closed (as well as when the slit is opened). Accordingly, Souza wholly fails to disclose any spacing as set forth in amended claim 18 of the instant application.

In view of the failure of Souza to anticipate the subject matter set forth in claim 18 as amended, withdrawal of the rejection of claim 18 is respectfully requested.

It is believed that all of the claims in the application, as amended, are now in condition for allowance, and such action is earnestly solicited.

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Further, it is believed that this entire application is now in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with sufficient postage as First Class Mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on January 24, 2006.


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